

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Rand Walter Gould**
Docket No. **274982**
L. Ct. No. **1998-161396-FC**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The delayed application for leave to appeal from the June 16, 2004 order denying appellant's motion for relief from judgment is **DISMISSED** for lack of jurisdiction since he failed to file the appeal within 12 months of the order's entry. MCR 6.509(A), 7.203(B)(1), and 7.205(F)(3).

The delayed application for leave to appeal from the September 2, 2004 order denying appellant's second motion for relief from judgment is also **DISMISSED** for lack of jurisdiction since appellant failed to file the appeal within 12 months of the order's entry. MCR 6.509(A), 7.203(B)(1), and 7.205(F)(3). Even if appellant had filed a timely appeal challenging the order, this Court would still lack jurisdiction since the order denied a successive motion for relief from judgment, which was filed after August 1995, where no newly discovered evidence or retroactive change in the law can be found. MCR 6.502(G).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 19 2007

Date

Sandra Schultz Mengel
Chief Clerk